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Hon. Abraham A. Ribicoff
U.S. Senate
Washington, D.C.

Dear Senator:

I would be grateful to you for information you may have available
on: liability for damages incidental to transportation of
hazardous materials.


I note your bill, S. 2915.

I have been a bit perplexed to find the state of the law on civil liability for railroad accidents. In principle, I would have expected that the anticipation of damages would have been enough to shape the carriers' operating procedures. But perhaps it is not settled that the carrier would be liable to a significant extent for the losses suffered, say, by the residents of a town blown up by an explosives accident. Are there limitations of liability for regulated carriers? Would explicit negligence have to be shown?

Besides the important line of authority proposed in your bill for direct administrative regulation, I wonder if the law should not also impose an unconditional liability for losses to innocent bystanders (if necessary, establishing an insurance system behind it).

But I cannot sensibly comment on this without a better understanding of the present law. As the issue may be quite pertinent to S. 2915, it is, I hope, not presumptuous to ask for a review by the Legis. Ref. Service of the Library of Congress, if the matter is not already amply covered in available references.

Thank you, and with best personal regards,


Joshua Lederberg

NOTE: I write a weekly column on "Science and Man" for the Washington Post and affiliated newspapers. Your information may be helpful to me in drafting future columns.